UNITED NATIONS

General Assembly

FORTY-NINTH SESSION

Official Records

SPECIAL POLITICAL AND
DECOLONIZATION COMMITTEE
(FOURTH COMMITTEE)
5th meeting
held on
Wednesday, 12 October 1994
at 3 p.m.
New York

SUMMARY RECORD OF THE 5th MEETING

Chairman: Mr. HUDYMA (Ukraine)

CONTENTS

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)*

AGENDA ITEM 81: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued)*

AGENDA ITEM 82: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION (continued)*

AGENDA ITEM 83: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued)*

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued)*

AGENDA ITEM 84: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued)*

---

* Items which the Committee has decided to consider together.

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.4/49/SR.5
21 October 1994

ORIGINAL: ENGLISH

94-81592 (E)

The meeting was called to order at 3.30 p.m.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/49/23 (Part II, Part V, chap. VIII, Part VI, chap. IX, and Part VII, chap. X), A/49/287, 381 and 492; A/AC.109/1179-1183, 1185-1186, 1188-1190, 1192-1195, 1197; S/1994/283 and Add.1 and Add.1/Corr.1; S/1994/819)

AGENDA ITEM 81: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/49/23 (Part IV, chap. VII) and 384 and Add.1)

AGENDA ITEM 82: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH IMPEDE THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION (continued) (A/49/23 (Part III, chap. IV); A/AC.109/1191)

AGENDA ITEM 83: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/49/23 (Part IV, chap. VI) and 216 and Add.1; A/AC.109/L.1824; E/1994/114)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/49/3 (Chaps. V (sect. C) and IX))

AGENDA ITEM 84: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES (continued) (A/49/413)

1. Mr. TELLES RIBEIRO (Brazil), speaking on behalf of the States members of the Rio Group - Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Guatemala, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela - said that the newly revitalized Fourth Committee must strive to bring the process of decolonization to a rapid conclusion, since there were still peoples which had not fully exercised their right to self-determination.

2. The Special Committee on decolonization would have to adapt to the prodigious changes of recent years, while still pursuing its objectives, which were to promote full decolonization, expand the political and economic bases of Non-Self-Governing Territories in preparation for their self-determination, which included independence as an option, and provide information on the Territories. As evidenced by the success of the recent mission to Tokelau, the unstinting cooperation of the administering Powers with the Special Committee - following the example of New Zealand - was crucial in obtaining a first-hand sense of the wishes of the people concerned.

3. The Non-Self-Governing Territories must be given the means to establish solid economies that would allow them to exercise the right to self-determination. The United Nations and the administering Powers had a joint

responsibility to take the people's needs and interests and the need to protect their environment and culture into account in any economic planning for the Territories.

4. Also, it was difficult to justify the presence of military bases and installations in the Territories in the post-cold-war period. They could impede the process of decolonization and they siphoned off local resources needed for economic development. The time had come to make the Territories and surrounding areas off-limits to any testing, deployment or stockpiling of nuclear arms or weapons of mass destruction.

5. The Rio Group welcomed the new united, non-racial and democratic South Africa, led by a President who was a symbol of the universal struggle for freedom, to renewed participation in the work of the Committee. As to Western Sahara, the progress made in voter identification in preparation for the referendum and the various steps taken by the Secretary-General and his Special Representative to enable the people of the Territory to determine their political future were encouraging, but the whole process was taking too long. The Rio Group called on the two parties involved to cooperate fully with each other and with the United Nations so as to ensure that a fair and transparent referendum on self-determination could be held promptly, as called for in the settlement plan. In the case of East Timor, the Group supported the ongoing negotiations between Portugal and Indonesia, which seemed to be taking a positive turn, aimed at achieving a just, comprehensive and internationally acceptable solution.

6. In the Latin American region, the members of the Rio Group were confident that the improved relations between Argentina and the United Kingdom would permit a peaceful solution to the long-standing dispute over the Malvinas, South Georgia and South Sandwich Islands.

7. The complete eradication of colonialism, a universally recognized value, was a challenge which, fortunately, it seemed to be within the international community's power to meet.

8. Mr. PEREZ-GRIFFO (Spain) said that, while his delegation's general views were those of the European Union, it wished to speak on an issue affecting Spanish sovereignty. The reintegration of Gibraltar into Spain had the full support of Spanish political forces, regardless of ideology. The decolonization of Gibraltar was not a question of self-determination but rather of the re-establishment of a State's territorial integrity. His Government was not alone in taking that position which, in accordance with the principles of resolution 1514 (XV), had been clearly established also by successive General Assembly resolutions. Year after year, the Assembly had invited the Governments of Spain and the United Kingdom to negotiate an end to that colonial situation and Spain fully intended to continue to do so, on the basis of the Brussels Declaration endorsed by both parties on 27 November 1984. Even though the issue of self-determination was not involved, the Spanish authorities took full account of the legitimate interests of the population of Gibraltar. They desired Gibraltar's prosperity and progress on the basis of a sound economy, in which contraband activities and illicit trafficking would have no part, although

they were currently tolerated by the local authorities and ignored by the administering Power.

9. Spain also hoped that the representatives of the population would return to the negotiating process, which they themselves had chosen to abandon in 1988, for it was the appropriate framework for making their points of view known.

10. Mr. KAUL (Germany), speaking on behalf of the European Union, confirmed its support for the principle of self-determination and for actions consistent with the United Nations Charter aimed at the elimination of colonialism, irrespective of the geographic location and population size of the remaining Non-Self-Governing Territories.

11. He considered that the draft resolutions and decisions submitted to the Committee had often contained language and statements that made it difficult to discern how they could serve the interests of the people of the Non-Self-Governing Territories. He thus welcomed certain improvements in the texts submitted by the Special Committee, specifically the fact that the language used that year had become somewhat more moderate and less controversial. However, certain texts still posed serious problems, not least because they affected the credibility of the Committee and were not sufficiently conducive to consensual solutions in the field of decolonization. Such texts were based mainly on the premise that all Non-Self-Governing Territories had failed to exercise their right to self-determination solely because that right had been denied them by the administering Powers. Such a view lacked balance and provided no benefit to the people of the Territories concerned. The Committee would fail to fulfil its functions appropriately if it refused to accept the realities of the situation in each Territory. He reiterated his objections to the draft decision on military activities, not least because it did not appear on the list of agenda items allocated by the General Assembly to the Fourth Committee.

12. With regard to East Timor, the European Union continued to support a dialogue without preconditions between Portugal and Indonesia under the auspices of the United Nations Secretary-General. It took due note of the fourth round of meetings held by the Secretary-General with the Foreign Ministries of Portugal and Indonesia on 6 May 1994.

13. On the question of Western Sahara, he welcomed the progress made in voter registration for a referendum to be held for the exercise of the right to self-determination of the people of Western Sahara, carried out and monitored by the United Nations in cooperation with the Organization of African Unity (OAU), as envisaged in the settlement plan. The referendum had been delayed too long. The European Union called on all Parties to contribute as much as possible to further and rapid progress, considering the cooperation of both Parties with the Secretary-General and his Special Representative to be an important precondition for a peaceful settlement to this question.

14. Mr. McKINNON (New Zealand) observed that no two Non-Self-Governing Territories were the same, and that unique issues and specific problems affected the small island Territories. New Zealand had been pleased to note the Special Committee's acknowledgement within the framework of resolutions 1514 (XV) and

1541 (XV) that there was a need for flexibility in considering the future options Territories might wish to pursue, and also the Committee's understanding of the particular difficulties faced by reason of size, small population, geographic isolation, limited economic resources, and sometimes all four.

15. New Zealand, as the administering Power of Tokelau, was gratified to report that substantial progress towards self-determination had been made in the past year in the Territory, where institutions of self-government had not existed before. There was a readiness amongst the people to address fundamental matters of economic and political development, and in January 1994 the powers of the Administrator of Tokelau had been delegated to the General Fono, Tokelau's paramount political institution, and, when the Fono was not in session, to the Council of Faipule, the executive body. In addition, the Tokelau Public Service had been relocated in Tokelau itself. The net effect of those changes had been to give the people of Tokelau direct control over their own affairs in their country.

16. Representatives of the Territory had reported to the Special Committee on decolonization on the adoption of Tokelau's first National Strategic Plan in June. The Special Committee's fourth visiting mission had in July been able to see for itself the progress that had been made, and it had issued a very comprehensive and valuable report (A/AC.109/2009), to which was annexed the Solemn Declaration on the Future Status of Tokelau, a historic statement delivered to the mission by the Territory's leader, outlining the constraints with which it had to contend and its need for continuing financial support. Even though no timetable had been set, Tokelau was considering the terms of a constitution and of an eventual act of self-determination and had a strong preference for a status of free association with New Zealand. As the administering Power, New Zealand would be guided by the wishes of the Tokelauan people and intended to continue its relationship with it after self-determination, when it would provide broad-ranging assistance.

17. The substantial progress made was due in no small measure to the invaluable interaction between New Zealand, the Territory and the United Nations.

18. Mr. SAMANA (Papua New Guinea) said that his delegation was encouraged by the work of the Special Committee on decolonization and the United Nations as a whole, and by the support and understanding of the administering Powers in their efforts to assist the remaining Territories that had yet to attain political autonomy.

19. As a member of the recent United Nations visiting mission to Tokelau, he had experienced at first hand the geographic smallness, isolation, limitations in population size, scarce natural resources and vulnerability to natural disasters that imposed problems of long-term viability and economic sustainability. He suggested that the Committee should take account of the islanders' wishes and concerns emanating from the contextual realities of their situation.

20. At a seminar held in Port Moresby the year before under the auspices of the Special Committee on decolonization, a legal expert from New Zealand had offered an alternative to full independence, namely the concept of sustained autonomy, which could be applied in the context of small island Territories that had problems in sustaining their future independence on economic terms. Sustained autonomy could be defined as something between self-government and full independence where a self-governing country would be able to maintain continuous sustenance through budgetary, administrative and technical support from a sustaining State. The self-governing country would be politically autonomous in terms of its internal management, whilst its external relations would be managed by the sustaining State.

21. There would be an element of integration in some functions of government such as the law, migration, resource development and maintenance of international relations, where the cost would be met by the sustaining State. Sustained autonomy was therefore significantly different to the case of a developing small island State which was fully independent but had a loose arrangement of free association with its former metropolitan Power. He suggested that the concept of sustained autonomy could be refined in the Committee so as to be in conformity with internationally accepted norms pertaining to self-determination and granting of independence and offered as a possible option to other colonial territories and people in similar conditions of economic and social vulnerability.

22. On the subject of New Caledonia, his delegation supported the French Government's positive adherence to the Matignon Accords which formed the basis for a peaceful transition towards political autonomy. Nevertheless, he expressed concern over certain developments that could retard the full realization of the aspirations of the Kanak people, namely the immigration policies and electoral reforms being pursued by the administering Power. The electoral reforms had caused an imbalance of eligible voters, placing the Kanak people in the minority. The results of the 1994 referendum might already have been determined, which would be contrary to the spirit of the Matignon Accords.

23. The struggles of the Chamorro people of Guam, the question of Gibraltar, and the aspirations of indigenous peoples required the earnest attention of the Committee, and in this connection he noted with concern that some of the Territories under the Trusteeship of the United Nations had not enjoyed the privilege of a visiting mission for almost 17 years, due mainly to the persistent refusal by certain administering Powers to allow such visits.

24. Mr. LAMARA (Algeria) reminded the Committee that the question of Western Sahara was a decolonization issue that had not been followed through to a successful conclusion. He noted that in July 1994 the settlement plan for Western Sahara had floundered on the issue of observers from the OAU. He considered the objections to OAU participation in the referendum process to be unjustifiable, since the settlement plan had specified quite clearly that the referendum should be organized and conducted by the United Nations in cooperation with OAU. The issue of OAU participation was an essential element of the settlement plan; it could not be compromised to accommodate hasty arrangements which, for the sake of a so-called realism, would jeopardize one of

the main guarantees of impartiality and objectivity of the work of the Identification Commission and hence the credibility and authenticity of the referendum. The initial findings of the Identification Commission, which would shortly be submitted to the Security Council and, by extension, the international community, would thus be a significant test of the objectivity, impartiality and thoroughness of its work.

25. The modest progress that had been made was outweighed by the size of the task of ensuring the integrated and scrupulous fulfilment of the settlement plan, which still lay ahead. The formulation of a code governing the conduct of the two Parties during the referendum campaign, the cantonment of troops, the reduction of military forces, the neutralization of paramilitary forces, the release of prisoners and political detainees, the repatriation of refugees and the crucial issue of independence and integration in the post-referendum period were all areas that still required attention.

26. His delegation had always advocated stabilization of the political atmosphere and direct dialogue between the two parties in order to promote a concerted and fraternal fulfilment of the provisions of the settlement plan. Such an approach was both a common-sense requirement and an optimistic policy for the future. Unfortunately, the wish expressed in General Assembly resolution 48/49 that direct talks between the two parties would soon resume had not been realized, but the General Assembly and all other competent organs of the United Nations should not be discouraged. No effort should be spared to initiate direct talks, and Algeria was working toward that goal with sincerity and conviction.

27. Mr. PHANIT (Thailand) said his delegation welcomed the return of the representative of South Africa to the Committee and paid tribute to the people and Government of South Africa. He commended the Government of New Zealand and the General Fono of Tokelau for inviting the Committee to dispatch a mission to Tokelau in July 1994. That would provide an effective means of assessing the situation in those Non-Self-Governing Territories and ensuring full and effective implementation of the Declaration in those Territories. He joined the Committee in urging other administering Powers to do likewise. His delegation believed that the decolonization process should combine political measures with economic development efforts. He therefore welcomed the report of the Special Committee on decolonization, which urged the administering Powers to promote economic and social development and to preserve the cultural identity of those Territories. He urged the United Nations to increase assistance programmes to the people of the remaining Non-Self-Governing Territories. His country believed that education and human resource development were essential elements in the process of decolonization, and it would therefore continue to offer educational and training assistance to several developing countries, including the Non-Self-Governing Territories. The year 2000 had been set for the complete eradication of colonialism. In order to achieve the vision of a twenty-first century free from colonialism, in which every individual could exercise his right to self-determination, close cooperation was needed between members of the international community.

28. Mr. ARKWRIGHT (United Kingdom) said his delegation endorsed the position expressed by the representative of Germany speaking on behalf of the European Union. He wished, however, to address the continued inability or, more likely, the unwillingness, of the Special Committee on decolonization to appreciate the difference between self-determination and independence. Self-determination could not be equated solely with independence, ignoring other available options. His delegation had been encouraged by the comments made by the representatives of Papua New Guinea, Fiji and Sierra Leone during the Special Committee's discussion of the Falkland Islands at its plenary session in 1994. He hoped that the discussion in 1994 on that and all other items on the agenda would be influenced by their arguments. The United Kingdom's record on decolonization was a good one and had been well documented. His Government continued to take seriously its obligations under the Charter to develop self-government in its dependent Territories and, in cooperation with the locally elected Governments, to ensure that their constitutional frameworks continued to meet the wishes of their peoples. Each of the dependent Territories held regular and free elections at which all parties could advocate whatever constitutional proposals they wished. His Government also took seriously its obligations towards the economic needs of its dependent Territories. He was therefore disappointed by the content of the draft resolution submitted to the Committee on the question of foreign economic interests, which ignored the benefits that those interests could bring to dependent Territories. Many elected Governments in the United Kingdom dependent Territories expended considerable effort to attract foreign investment, recognizing its benefits. The Special Committee on decolonization should recognize the positive role of foreign investment, especially in small islands with limited capital and few natural resources. He had noted with interest the comments of the Rapporteur and Acting Chairman of the Special Committee on decolonization at the beginning of the general debate. He welcomed the acknowledgement that the people of the Non-Self-Governing Territories should decide their future status, and that attention should be paid to the specific needs of those Territories. The Committee should accept the realities of the situation in each Territory.

29. Mr. MUTHAURA (Kenya) said that, in view of the fact that the number of people living under colonial rule had fallen from 750 million in 1945 to less than 3 million in 1994, it was appropriate that the United Nations should have declared 1990-2000 the International Decade for the Eradication of Colonialism. It was essential that all remaining Territories should be allowed to exercise their right to self-determination. Western Sahara had been a problem for nearly 20 years. A settlement plan had been developed with the aim of holding a referendum on self-determination to allow the Sahrawi people to choose between independence and integration with Morocco. Such a choice was unprecedented in the history of decolonization. He recalled Security Council resolution 829 (1993), and the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO), to which Kenya had contributed troops. He affirmed the inalienable right of all peoples to self-determination and independence in accordance with the principles of the United Nations Charter. With his own country's liberation process in mind, he commended the United Nations Secretary-General for his efforts to find a lasting solution to the conflict. He expressed the hope that definite dates would be set for the conclusion of the task of the Identification Commission as well as the holding

of a free and fair referendum on the basis of the compromise proposal of the Secretary-General. His delegation hoped that that would lead to a credible outcome acceptable to the people of Western Sahara, the Frente POLISARIO and Morocco as well as to the international community.

30. Mr. ROWE (Australia), speaking on behalf of the States members of the South Pacific Forum (SOPAC), said he wished to call the Committee's attention to the Forum's position with regard to New Caledonia, adopted at its twenty-fifth session held in Australia from 31 July to 2 August 1994. At that session the Forum had noted further implementation of the Matignon Accords during the previous 12 months. It had considered that further efforts towards achieving real economic and social rebalancing were still needed, and both the French and the territorial authorities had acknowledged that need. The Forum recognized continuing contacts with the French authorities as an important factor in the Matignon process. It had noted with pleasure that the Kanak Training Fund was operating successfully, and that the Forum secretariat's relations with France and its territories were good, a memorandum of understanding on funding cooperation having recently been signed. The Committee had before it the text of a draft resolution on New Caledonia which had been adopted by consensus by the Special Committee on decolonization on 15 July 1994 and which was contained in chapter VIII of the report of the Special Committee (A/49/23/Part V). On behalf of SOPAC delegations, and in accordance with the consensus approach being taken in New Caledonia towards the self-determination process under the Matignon Accords, he commended that draft resolution to the Committee and urged its consensus adoption.

31. Mr. ARKWRIGHT (United Kingdom), speaking in exercise of the right of reply, said that the representative of Brazil, speaking on behalf of the Rio group earlier in the meeting, had expressed the wish for a solution to be found to the sovereignty dispute over the Falklands, South Georgia and the South Sandwich Islands. The position of the British Government on those matters was well known. It had been most recently set out by the Foreign Secretary in his speech to the General Assembly on 28 September 1994.

The meeting rose at 5 p.m.